



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Andrew Learned
3433 Lithia Pine Crest Road
Suite #249
Valrico, FL 33596

JAN 26 2018

RE: MUR 7282
Andrew Learned

Dear Mr. Learned:

On October 6, 2017, the Federal Election Commission ("Commission") notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On January 8, 2018, based upon the information contained in the complaint and information provided by you, the Commission decided to dismiss allegations that you violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Don Campbell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7282

Respondents: Andrew Learned for Congress
and Brenda Stempson, as treasurer
(the "Committee")
Andrew Learned

Complaint Receipt Date: October 3, 2017

Response Date: November 13, 2017

EPS Rating:

**Alleged Statutory
Regulatory Violations:**

**52 U.S.C. §§ 30102(e); 30103(a), (b), (c)
11 C.F.R. §§ 101.1, 102.1, 102.2**

The Complainant alleges that Andrew Learned used a fictitious address on his Statement of Candidacy, and that the Committee did the same on its Statement of Organization, and its 2017 July Quarterly Report.¹ The candidate responds that the respondents made simple clerical errors on these filings, and the errors have been corrected.²

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, and the

¹ Learned is a 2018 candidate in Florida's 15th Congressional District. The Complaint also claims that Learned resides in, and is registered to vote in, Florida's 14th Congressional District. This claim is beyond the Commission's jurisdiction.

² The Commission's records confirm that the candidate's address on all three forms has been amended.

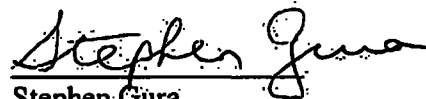
amendments to the relevant forms and reports, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.³ We also recommend that the Commission close the file as to all the Respondents and send the appropriate letters.

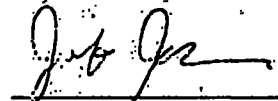
Lisa J. Stevenson
Acting General Counsel

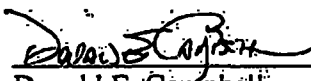
Kathleen M. Guith
Associate General Counsel

11.29.17
Date

BY:


Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Donald E. Campbell
Attorney

³ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).